

APPROVED—August the ninth, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }  
August 9, 1858.

I hereby certify the foregoing to be a true copy of the original on file in this office.

FRANCIS BAASEN, Secretary of State.

## CHAPTER LXXXI.

### *An Act to provide for the regulation of County Jails.*

SECTION 1. Prisons to be established in every county.

1. Grand Jurors to examine prisons, and report.
2. Sheriffs or their deputies required to keep the jail—Separate cells for males and females.
3. Cost of keeping defendant imprisoned on civil suit, to be paid by plaintiff.
4. Cost of keeping criminals to be paid by county board.
5. Prisoners confined by process of Court—Sheriff's evidence to retain in custody.
6. Commitments and liberations of prisoners to be regularly filed by Sheriff or jailer.
7. Delivery thereof to successor in office.
8. Authority to confine prisoners for crime committed in one county, in the jail of another county.
9. Fugitives from justice or labor in this State, may be confined in any county jail.
10. Juvenile prisoners—their treatment.
11. Repeal of acts inconsistent.
12. Act takes effect on passage.

*Be it enacted by the Legislature of the State of Minnesota :*

SECTION 1. That there shall be established and kept in every county, by authority of the Board of County Supervisors, and at the expense of the county, a prison for the safe keeping of prisoners lawfully committed.

SEC. 2. That the Grand Jury at each term of the Circuit Court, shall make personal inspection of the condition of the county prison, as to the sufficiency of the same for the safe keeping of prisoners, their convenient accommodation and health, and shall inquire into the manner in which the same has been kept since the last term ; and the Court shall give this duty in special charge to such Grand Jury, and it shall be imperative upon the Board of Supervisors to issue the necessary orders, or cause to be made the necessary repairs,

in accordance with the complaint or recommendation of the Grand Jury.

*Sheriff or their deputies required to keep jail*

Sec. 3. The Sheriff of the county, by himself or deputy, shall keep the jail, and shall be responsible for the manner in which the same is kept; he shall keep separate rooms for the sexes, except where they are lawfully married; he shall provide proper meat, drink and fuel for prisoners.

*Costs for keeping defendant in civil suits to be paid by plaintiff*

Sec. 4. The cost of keeping a defendant imprisoned by civil process shall be taxed as costs against the plaintiff therein, at the rate of forty cents per day, and if such plaintiff shall fail to pay the same in advance, the defendant may be discharged, but such costs may afterwards be recovered against the defendant.

*Keeping of criminals to be paid by county*

Sec. 5. Whenever a prisoner is committed for crime or in any suit in behalf of the State, the County Board shall allow the Sheriff his reasonable charge for supplying such prisoner.

*Sheriff's evidence to detain prisoner*

Sec. 6. When a prisoner is confined by virtue of any process directed to the Sheriff, and which shall require to be returned to the Court, whence it issued, such Sheriff shall keep a copy of the same, together with his returns made thereon, which copy, duly certified by such Sheriff, shall be *prima facie* evidence of his right to retain such prisoner in custody.

*Prisoners to be held by sheriff*

Sec. 7. All instruments of every kind, or attested copies thereof, by which a prisoner is committed or liberated, shall be regularly endorsed and filed, and safely kept in a suitable box by such Sheriff, or by his deputy, acting as a jailor.

Sec. 8. Such box, with its contents, shall be delivered to the successor of the officer having charge of the prison.

*Confinement of persons from one county in jail of another county*

Sec. 9. When there is no sufficient prison in any county wherein any criminal offense shall have been committed, any Judge of the Circuit Court of such county, upon application of the Sheriff, may order any person charged with a criminal offense, and ordered to be committed to prison, to be sent to the jail of the county nearest having a sufficient jail; and the Sheriff of such nearest county shall, on exhibit of such Judge's order, receive and keep in custody, in the jail of his county, the prisoner ordered to be committed as aforesaid, at the expense of the county from which said prisoner was sent; and the said Sheriff shall, upon the order of the Circuit Court, or a Judge thereof re-deliver such prisoner, when demanded.

*Fugitives from justice may be confined in any county jail*

Sec. 10. Any county jail may be used for the safe keeping of any fugitive from justice or labor in this State, in accordance with the provisions of any act of Congress, and the jailor shall, in this case, be entitled to reasonable compensation for the support and custody of such fugitive from the officer having him in custody.

Sec. 11. Juvenile prisoners shall be treated with humanity, and in a manner calculated to promote their reformation;

they shall be kept, if the jail will admit of it, in apartments <sup>Juvenile prison-</sup> separate from those containing more experienced and har- <sup>are—their treat-</sup> dened criminals; the visits of parents, guardians and friends <sup>ment</sup> who desire to exert a moral influence over them, shall at all reasonable times, be permitted.

Sec. 12. All acts or parts of acts inconsistent with this Act, are hereby repealed.

Sec. 13. This Act shall take effect and be in force from and after its publication.

GEORGE BRADLEY,

Speaker of the House of Representatives.

WILLIAM. HOLCOMBE,

President of the Senate.

APPROVED--August the second, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }  
August 2, 1858. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

FRANCIS BAASEN, Secretary of State.

## CHAPTER LXXXII.

*An Act to provide for the assessment and collection of a Tax for State purposes for the year 1859, and for the better collection of taxes heretofore levied.*

SECTION 1. Levy of five mill tax for the year 1859, for State purposes.

1. Proper officers of the several counties required to assess and collect the same.

3. Auditor of State authorized to extend time for collection of taxes, in case of default, neglect or delay in making assessment.

4. Penalty for default or neglect of township officer to make assessment on collection.

5. Act takes effect on passage.

*Be it enacted by the Legislature of the State of Minnesota :*

SECTION 1. There is hereby levied on all of the taxable property in the State of Minnesota, for the year (1859), one <sup>Five mill tax for</sup> thousand eight hundred and fifty-nine, a tax at the rate of <sup>1859 to be levied</sup> five mills on the dollar for the use of the State, including the sum to be raised as a sinking fund, and for interest of the